

**IN THE HIGH COURT OF UTTARANCHAL
AT NAINITAL
ORIGINAL JURISDICTION**

Dated: Nainital: the 18th day of October, 2005

Bail application no. 991 of 2005

Order on the bail application of accused

CRIMINAL SIDE

1. Devi Prashad S/o Sri Madhwanand Deoli
R/o Village Tetunna
Patwari Circle Latugerh
Tehsil Gairshen
District Chamoli
 2. Dhan Singh S/o Late Keshar Singh
R/o Village Tetunna
Patwari Circle Latugerh
Tehsil Gairshen, District Chamoli
- ... Applicants

Versus

State of Uttaranchal

... Opposite Party

Arising out of Case Crime No. 04 of 2005

Under Sections 302, 201 I.P.C.

Patwari Circle Latugerh

Tehsil Gairshen, District Chamoli

By the court

Hon'ble B.C. Kandpal, J

The applicants have applied for bail in case crime No. 04 of 2005 under Sections 302, 201 I.P.C., Patwari Circle Latugerh, Tehsil Gairshen, District Chamoli.

Heard Sri Dinesh Chauhan, learned counsel for the applicant, learned A.G.A. and perused the record.

The case rests on circumstantial evidence. The only evidence available against the applicants which has been collected by the Investigating Officer as yet is that of last seen in the company of the deceased on 12.07.2005.

The dead body of the deceased was recovered in the jungle on 20.07.2005.

Having considered the aforesaid facts and circumstances of the case, I think, it would be just and proper to release the applicant on bail at this stage.

Let the applicants, namely, Devi Prashad and Dhan Singh be released on bail on their executing a personal bond and furnishing two sureties each in the like amount to the satisfaction of Magistrate concerned.

(B.C. Kandpal, J.)

18.10.2005

ASWAL